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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE AMERICA, INC., a Delaware
corporation, and ORACLE
INTERNATIONAL CORPORATION, a
California corporation,

Plaintiffs,

v.

CEDARCRESTONE, INC., a Delaware
corporation,

Defendant.

CEDARCRESTONE, INC., a Delaware
corporation,

Counter-claimant,

v.

ORACLE AMERICA, INC., a Delaware
corporation, and ORACLE
INTERNATIONAL CORPORATION, a
California corporation,

Counter-defendants.

Case No. 3:12-cv-04626 (NC)

**STIPULATION AND ~~PROPOSED~~
ORDER SHORTENING TIME TO
RESPOND TO ORACLE'S MOTION FOR
RELIEF FROM CASE MANAGEMENT
SCHEDULING ORDER AND SETTING HEARING**

Case No. 3:12-cv-04626-NC

STIPULATION AND ~~PROPOSED~~ ORDER SHORTENING TIME TO RESPOND TO MOTION FOR RELIEF
FROM CASE MANAGEMENT SCHEDULING ORDER

1 WHEREAS, on January 17, 2013, the Court entered a Case Management Scheduling
2 Order (Dkt. 32) in this case. *See* Declaration of Geoffrey M. Howard (“Howard Decl.”) ¶ 2;

3 WHEREAS, plaintiffs Oracle America, Inc. and Oracle International Corporation
4 (collectively, “Oracle”) filed a Motion for Relief from the Case Management Scheduling Order
5 (the “Motion”) on July 5, 2013. *See* Howard Decl. ¶ 3;

6 WHEREAS, Oracle’s Motion requests a modification of outstanding case deadlines in
7 this action, including the close of fact discovery currently scheduled for August 19, 2013. *See*
8 Howard Decl. ¶¶ 2-3;

9 WHEREAS, absent an order shortening the motion schedule, Defendant CedarCrestone,
10 Inc.’s (“CedarCrestone”) responsive pleading would not be due until July 19, 2013, Oracle’s
11 reply pleading would not be due until July 26, 2013, and a potential hearing regarding the
12 Motion would be scheduled for no earlier than August 14, 2013. *See* Howard Decl. ¶¶ 4-6;

13 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST THE
14 COURT TO ORDER as follows: that CedarCrestone’s deadline for filing a response to Oracle’s
15 Motion will be July 11, 2013; and that Oracle’s deadline for filing a reply pleading will be July
16 16, 2013. The parties further request that a hearing regarding the Motion, if the Court deems
17 such hearing necessary, be scheduled for the earliest possible date convenient to the Court.
18

19 Dated: July 5, 2013

BINGHAM MCCUTCHEN LLP

20 BY: /s/ Geoffrey M. Howard
21 Geoffrey M. Howard

22 Attorneys for Plaintiffs
23 Oracle America, Inc. and Oracle
24 International Corporation

25 Dated: July 5, 2013

KEKER & VAN NEST LLP

26 BY: /s/ Daniel Purcell
27 Daniel Purcell

28 Attorneys for Defendant
CedarCrestone, Inc.

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to General Order No. 45, Section X.B. regarding non-filing signatories, I hereby attest that I have obtained concurrence from counsel for CedarCrestone in the filing of this document.

Dated: July 5, 2013.

/s/ Geoffrey M. Howard

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The hearing on Oracle's Motion to Complete Discovery is scheduled for July 24, 2013 at 10:00 a.m.

DATED: July 9, 2013

By: _____

Hon. Nathanael M. Cousins
United States Magistrate Judge

